

IAPS Rec'd PCT/PTO 28 SEP 2006

10/594871

EXPRESS MAIL NO.: EL 963 992 528 US

Deposited

September 28, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

/ Ruth Montalvo

Date: 09/28/06

Customer No. 026418

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No.: GK-OEH-255/500814.20157
U.S. Application No.:
International Application No.: PCT/DE2005/000588
International Filing Date: MARCH 31, 2005 31 MARCH 2005
Priority Date Claimed: MARCH 31, 2004 31 MARCH 2004
Title of Invention: SPECTRAL PHOTOMETRY METHOD FOR DETERMINING THE OXYGEN SATURATION OF THE BLOOD IN OPTICALLY ACCESSIBLE BLOOD VESSELS
Applicant(s) for (DO/EO/US): Dr. Walthard VILSER and Dr. Martin HAMMER

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-450

INFORMATION DISCLOSURE STATEMENT

SIR:

Applicant herewith submits together with the simultaneously filed National Phase application of PCT/DE2005/000588 a copy of the International Search Report (PCT/ISA/210) dated March 31, 2005 citing the following references:

	Document Number	Date	Name and/or Country	English Translation and/or Equivalent
AA	4,253,744	03/03/1981	Sawa	
AB	4,305,398	12/15/1981	Sawa	
AC	4,485,820	12/04/1984	Flower	
AD	5,119,814	06/09/1992	Minnich	
AE	5,308,919	05/03/1994	Minnich	
AF	5,318,022	06/07/1994	Taboada, et al.	
AG	5,776,060	07/07/1998	Smith, et al.	
AH	5,935,076	08/10/1999	Smith, et al.	
AI	2001/0056247	12/27/2001	Faubert, et al.	
AJ	6,556,853	04/29/2003	Cabib, et al.	
AL	44 33 827	03/28/1996	Germany	
AM	00/06017	02/10/2000	WIPO	
AN	199 20 157	11/02/2000	Germany	
AO	102 17 543	11/06/2003	Germany	

IAP5 Rec'd PCT/PTO 28 SEP 2006

10/594871

OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Pages, Etc.*)

**AX Applied Optics / Vol. 27, No. 6 / March 1988, pages 1113-1125, Delori
“Noninvasive technique for oximetry of blood in retinal vessels”**

Accompanying this Information Disclosure Statement and form PTO-1449 are copies of the foreign documents w/English Abstracts and 1st page of WO document. Documents AA-AH and AM-AO are mentioned on pages 1and 2 of the substitute specification, AI-AJ and AM are cited in the International search report and AL was cited in the German application.

The USPTO waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting copies of US patents and US patent application publications in all U.S. applications filed after June 30, 2003. First pages of US documents only.

This submission is not an admission that the information disclosed in the documents is material to the patentability of the invention disclosed and/or claimed in the above-identified application.

Respectfully submitted,



Gerald H. Kiel - Reg. No. 25,116
Reed Smith LLP
599 Lexington Avenue
New York, NY 10022-7650

GHK:ram
08/10/05
Tel. (212) 521-5400
Enclosures:

Search Report (PCT/ISA/210);
PTO-1449
10 first pages US Patents
1 first page WO Patent
3 DE documents w/English Abstracts
1 Article

LIST OF PRIOR ART CITED BY APPLICANT
(Filed on September 28, 2006)

Docket No. **GK-OEH-255/500814.20157**
 Applicant(s): **Dr. Walthard VILSER and Dr. Martin HAMMER**
 Application No. (Int'l Appln No. PCT/DE2005/000588 13OCT05) Group:
 Filed: Concurrently herewith – **September 28, 2006** Examiner:

U.S. PATENT DOCUMENTS

Exam. Init		Document Number	Date	Name	Class	Sub- Class	Filing Date Appropriate
	AA	4,253,744	03/03/1981	Sawa			
	AB	4,305,398	12/15/1981	Sawa			
	AC	4,485,820	12/04/1984	Flower			
	AD	5,119,814	06/09/1992	Minnich			
	AE	5,308,919	05/03/1994	Minnich			
	AF	5,318,022	06/07/1994	Taboada, et al.			
	AG	5,776,060	07/07/1998	Smith, et al.			
	AH	5,935,076	08/10/1999	Smith, et al.			
	AI	2001/0056247	12/27/2001	Faubert, et al.			
	AJ	6,556,853	04/29/2003	Cabib, et al.			
	AK						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	CLASS	Sub- Class	Translation YES NO
	AL	44 33 827	03/28/1996	Germany			Abstract only
	AM	00/06017	02/10/2000	WIPO			Abstract only
	AN	199 20 157	11/02/2000	Germany			Abstract only
	AO	102 17 543	11/06/2003	Germany			Abstract only
	AP						
	AQ						
	AR						
	AS						
	AT						

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AX	Applied Optics / Vol. 27, No. 6 / March 1988, pages 1113-1125, Delori “Noninvasive technique for oximetry of blood in retinal vessels”
AY	
AZ	

Examiner:

Date:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.